

### **REMARKS/ARGUMENTS**

Applicant respectfully requests reconsideration of the above-identified patent application in view of the foregoing amendments and following remarks. Claims 1, 4, 9, and 12 have been amended to incorporate limitations from the dependent claims having allowable subject matter into the respective independent claims. Applicant has not added new matter. Applicant respectfully requests entry of the foregoing amendment. Claims 1 – 15 are pending.

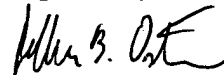
#### **Claim Rejections under 35 U.S.C. §103(a)**

The Examiner has rejected claims 1-3, and 9-11 under 35 U.S.C. §103(a) as being unpatentable over Heller et al. (US 6,245,508 B1) in view of Dai et al. (US 6,406,791). The Examiner has stated that claims 4-8 and 12-15 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claim. Applicant submits that the foregoing amendment obviates this rejection.

Applicant has amended independent claim 1 to incorporate limitations from dependent claim 4 and has amended claim 4 to remove the limitations moved to independent claim 1. Additionally, applicant has amended independent claim 9 to incorporate limitations from dependent claim 12 and has amended claim 12 to remove the limitations moved to independent claim 9. Since the Examiner has stated that claims 9 and 12 have allowable subject matter that has now been added to the respective independent claims, applicant respectfully requests withdrawal of this rejection.

In view of the foregoing amendment and response, applicant respectfully requests reconsideration of the rejection and allowance of pending claims 1-15.

Respectfully submitted,



Jeffrey B. Oster  
Attorney for Applicant  
Registration No. 32,585

CombiMatrix Corporation  
6500 Harbour Heights Parkway  
Mukilteo, WA 98275  
Telephone: (425) 493 2302  
Facsimile: (425) 493 2010  
Email: joster@combimatrix.com